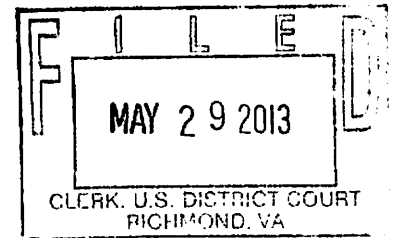


**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**



FORD MOTOR COMPANY

Plaintiff,

v.

NATIONAL INDEMNITY COMPANY

Defendant.

Civil Action No. 3:12-cv-839

**REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE  
PURSUANT TO THE HAGUE CONVENTION OF 18 MARCH 1970  
ON THE TAKING OF EVIDENCE IN CIVIL OR COMMERCIAL MATTERS**

1. SENDER  
George P. Sibley, III, Esq.  
Hunton & Williams LLP  
Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, Virginia 23219-4074  
Phone (804) 788-8200  
*On behalf of Defendant  
National Indemnity Company*
2. CENTRAL AUTHORITY OF REQUESTED STATE  
Niedersächsisches Justizministerium  
Am Waterlooplatz 1  
30169 Hannover  
Phone +49 (511) 120-0
3. PERSON TO WHOM THE EXECUTED REQUEST IS TO BE RETURNED  
George P. Sibley, III, Esq.  
HUNTON & WILLIAMS LLP  
Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, Virginia 23219-4074
4. DATE BY WHICH REQUESTING AUTHORITY REQUIRES RESPONSE  
July 19, 2013  
Discovery for this matter will close on the above date

**IN CONFORMITY WITH ARTICLE 3 OF THE CONVENTION, THE UNDERSIGNED  
APPLICANT HAS THE HONOR TO SUBMIT THE FOLLOWING REQUEST:**

5. *a.* REQUESTING JUDICIAL  
AUTHORITY

United States District Court  
Eastern District of Virginia  
Richmond Division  
701 East Broad Street  
Richmond, Virginia 23219  
United States of America

*b.* TO THE COMPETENT  
AUTHORITY OF

Niedersächsisches Justizministerium  
Am Waterlooplatz 1  
30169 Hannover

*c.* NAMES OF THE CASE AND  
ANY IDENTIFYING NUMBER

Ford Motor Company v. National  
Indemnity Company  
Civil Matter No. 3:12-cv-839

6. NAMES AND ADDRESSES  
PARTIES AND THEIR  
REPRESENTATIVES

Plaintiff:  
Ford Motor Company  
One American Road  
Dearborn, MI 48126-2798  
United States of America

Represented by:  
Scott C. Oostdyk  
H. Carter Redd  
J. Tracy Walker, IV  
Matthew D. Fender  
Leo J. Boyd  
McGuireWoods LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
United States of America

Defendant:  
National Indemnity Company  
3024 Harney Street  
Omaha, Nebraska 68131  
United States of America

Represented by:

George P. Sibley, III  
Michael S. Levine  
Hunton & Williams LLP  
Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, Virginia 23219-4074  
Phone (804) 788-8200

7. NATURE AND PURPOSE OF PROCEEDINGS AND SUMMARY OF FACTS

Ford Motor Company is a Delaware, United States of America corporation, with its principal place of business in Dearborn, Michigan. National Indemnity Company ("NICO") is a Nebraska, United States of America corporation, with its principal place of business in Omaha, Nebraska.

This is a civil action commenced by the filing of a complaint in the United States District Court, Eastern District of Virginia, on November 15, 2012. This action was brought by Ford Motor Company, alleging that NICO tortiously interfered with insurance contracts between HDI-Gerling and Ford Motor Company by directing that certain "non-batch claims" should not be paid. Ford further alleges that NICO violated the Virginia Business Conspiracy Statute by acting with HDI-Gerling to harm Ford's business interest in recovering on certain claims arising under the HDI-Gerling insurance contracts.

NICO disputes all of Ford's allegations, including that NICO directed the "denial" of Ford's claims, and that NICO caused a breach of the insurance contracts at issue (the Aggregate Stop Loss Policies, or "ASLP"). Additionally, NICO raised twenty affirmative defenses, including, among others, that the ASLP are void *ab initio* because of Ford's material misrepresentations at underwriting.

Mr. Yacoub worked for and on behalf of HDI-Gerling during the relevant periods, serving as counsel and/or claims manager for HDI-Gerling.

8. EVIDENCE TO BE OBTAINED OR OTHER JUDICIAL ACT TO BE PERFORMED

The evidence requested herein consists of deposition testimony of John Yacoub.

9. IDENTITY AND ADDRESS OF PERSON(S) TO BE EXAMINED

Mr. John Yacoub  
HDI-Gerling Industrie Versicherung AG  
Haftpflichtversicherung Schaden Ausland  
Reithorst 2  
Hannover, Germany 30659

10. STATEMENT OF THE SUBJECT MATTER ABOUT WHICH THE PERSONS  
NAMED IN PARAGRAPH 6 ARE TO BE EXAMINED

Upon information and belief, John Yacoub is the only available source of information regarding his individual involvement in claims handling and claims monitoring responsibilities, including the ASLP claims, for HDI-Gerling. NICO seeks to obtain Mr. Yacoub's testimony for use at trial on these issues.

11. OATH OR AFFIRMATION

This requests that the persons identified in paragraph 6 be examined under oath.

12. SPECIAL METHODS OR PROCEDURE

Pursuant to Articles 3(i) and 9, we hereby request that the examinations be conducted by the attorney for National Indemnity Company with cross-examination by the attorney for Ford Motor Company listed in paragraph 3, and that a verbatim transcript of the examination be transcribed by a court reporter whom we will provide. We request that the depositions be held before July 19, 2013, depending on the availability.

13. REQUEST FOR ATTENDANCE OR PARTICIPATION OF JUDICIAL  
PERSONNEL

We request that counsel for Ford Motor Company and National Indemnity Company, as identified in paragraph 3, be allowed to attend the examinations and inspection.

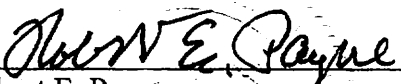
14. SPECIFICATION OF PRIVILEGE OF DUTY TO REFUSE TO GIVE  
EVIDENCE

Pursuant to Article 11(b), Mr. Yacoub may claim privilege and refuse to testify to communications that fall within the attorney-client privilege or the attorney work product doctrine.

15. DATE OF REQUEST

May 28, 2013

16. SIGNATURE AND SEAL OF  
THE REQUESTING AUTHORITY

  
Robert E. Payne-  
Senior United States District Judge

**This Seal is to attest the authenticity of the record and is in accordance  
with the laws of the United States.**